

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JANET WALLACH, COURTNEY)	
FOREGGER, and KEVIN CWYNAR,)	
individually and on behalf of similarly)	
situated individuals,)	No. 1:24-cv-3356
)	
<i>Plaintiff,</i>)	Hon. John Robert Blakey
)	
v.)	
)	
SILVERCREEK REALTY GROUP LLC,)	
an Idaho limited liability company,)	
)	
<i>Defendant.</i>)	
_____)	

JOINT STATUS REPORT

Plaintiffs, Janet Wallach, Courtney Foregger, and Kevin Cwynar, and Defendant, Silvercreek Realty Group, LLC (“Silvercreek”), jointly submit the following status report.

1. This case is among a number of actions pending in this District that have been brought on behalf of putative classes of homebuyers asserting claims that residential real estate brokerages and other co-conspirators allegedly engaged in anticompetitive practices that artificially inflated the costs of real estate broker commissions in violation of state and federal antitrust laws. Plaintiffs’ counsel have reported previously in several of these cases that defendants have reached agreements in principle as to a tentative class settlement.

2. Defendant Silvercreek asserts that it is an Idaho brokerage firm that does not do business in Illinois, and it denies any allegation to the effect that it has engaged in unlawful conduct and further denies that this Court has personal jurisdiction over it. It expressly preserves any jurisdictional defenses that may be available under Rule 12 of the Federal Rules of Civil Procedure. Nevertheless, on August 28, 2024, the Parties in this matter jointly moved to stay Silvercreek’s

deadline to answer or otherwise respond to Plaintiffs' First Amended Class Action Complaint (Dkt. 17) while they engaged in settlement discussions. (Dkt. 24). On September 3, 2024, the Court granted the Parties' request. (Dkt. 26).

3. On October 31, 2024, the Parties reported that their settlement efforts had been productive and that they had reached an agreement in principle as to a settlement that, if finalized, will resolve all of the claims in this matter in their entirety. In the interest of efficiency and conserving resources for distribution to the putative class members, counsel for Plaintiffs are attempting to effectuate a settlement of this case in coordination with settlement of several other cases that they have brought against other brokerages. Counsel for Plaintiffs are still working on finalizing the substantive terms of at least one of those cases.

4. The Parties are continuing to work cooperatively to finalize their agreement in coordination with the other matters in which there are settlements in principle with real estate brokerages. The Parties require additional time to complete their settlement efforts, attempt to finalize their agreement, and complete all attendant documents. Accordingly, the Parties propose that this matter remain stayed and that a subsequent joint status report or notice of settlement be due within 60 days.

Dated: January 31, 2025

Respectfully and jointly submitted,

JANET WALLACH, COURTNEY
FOREGGER, and KEVIN CWYNAR,
individually and on behalf of similarly
situated individuals

By: /s/ Paul T. Geske
One of Plaintiffs' attorneys

Paul T. Geske
Brendan Duffner
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SILVERCREEK REALTY GROUP
LLC

By: /s/ Jack R. Bierig
One of Defendant's attorneys

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*Counsel for Plaintiffs and the putative
classes*

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on January 31, 2025 I caused the foregoing *Joint Status Report* to be electronically filed with the Clerk of the Court using the CM/ECF system. A copy of said document will be electronically transmitted to all counsel of record.

/s/ Paul T. Geske